

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division

MAR - 7 2018

ZEB A. HENSON,

Petitioner,

v.

ACTION NO. 2:17cv134

UNITED STATES DEPARTMENT
OF JUSTICE, *et al.*,

Respondent.

FINAL ORDER

Before the Court is a petition for a writ of habeas corpus (ECF No. 1) filed pursuant to 28 U.S.C. § 2241, and Respondent's Motion to Dismiss (ECF No. 5). On March 18, 2011, Petitioner was sentenced in the United States District Court for the Western District of Virginia to an 84-month term of imprisonment for Possessing with the intent to Distribute Methamphetamine. In his petition, the *pro se* Petitioner challenges the computation by the Bureau of Prisons ("BOP") of his credits for time he spent in prison from his sentencing date to when he was delivered into BOP's custody.


The matter was referred for disposition to a United States Magistrate Judge pursuant to 28 U.S.C. §§ 636(b)(1)(B)-(C), Federal Rule of Civil Procedure 72(b), Local Civil Rule 72, and the April 2, 2002 Standing Order on Assignment of Certain Matters to United States Magistrate Judges. In a Report and Recommendation entered on February 2, 2018 (ECF No. 9), the Magistrate Judge recommended that the Motion to Dismiss be granted, and the petition be denied and dismissed with prejudice.

The parties were advised of their right to file written objections to the Report and Recommendation. Neither the Petitioner nor the Respondent filed objections with the Court.¹

Having reviewed the record and having heard no objection, the Court agrees with the Report and Recommendation on the grounds stated by the Magistrate Judge and **ADOPTS** and **APPROVES** the Report and Recommendation (ECF No. 9) in its entirety as the Court's opinion. Accordingly, Respondent's Motion to Dismiss (ECF No. 5) is **GRANTED**. The Petition (ECF No. 1) is **DENIED** and **DISMISSED WITH PREJUDICE**. It is **ORDERED** that Judgment be entered in favor of Respondent.

By this Order Petitioner is notified that he may appeal from the Judgment entered pursuant to this Final Order by filing a written notice of appeal with the Clerk of the Court at the Walter E. Hoffman United States Courthouse, 600 Granby Street, Norfolk, Virginia 23510, within thirty days from the date judgment is entered. Petitioner has failed to demonstrate a substantial showing of the denial of a constitutional right pursuant to 28 U.S.C. § 2253(c) and Federal Rule of Appellate Procedure 22(b)(1), and the Court declines to issue a certificate of appealability. *See Miller-El v. Cockrell*, 537 U.S. 322, 335 (2003). The Clerk is **DIRECTED** to forward a copy of this Order to Petitioner and to counsel of record for Respondent.

It is so ORDERED.



Arenda L. Wright Allen
United States District Judge

Norfolk, Virginia

Date: *March 6, 2018*

¹ The Report and Recommendation was mailed to Petitioner at the address on file with the Clerk's Office. On February 16, 2018, the mailing was returned by the United States Postal Service as "Not deliverable as addressed" and "Unable to forward." Petitioner is responsible for maintaining a record of his current address with the Court.